

LYNN M. DEAN
deanl@sec.gov
AMY J. LONGO
longoa@sec.gov
PATRICIA PEI
peip@sec.gov
SECURITIES AND EXCHANGE COMMISSION
444 South Flower Street, Suite 900
Los Angeles, CA 90071
(323) 965-3998

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

vs.

OMAR EL-ACHKAR, HALLOUN MALEK
KHARRAT, AL DAHER AHMAD YAACOUB,
AND ONE OR MORE UNKNOWN TRADERS IN
THE SECURITIES OF GENERAL
COMMUNICATION, INC.,

Defendants.

Case No. 1:17-cv-02659-KPF

**AFFIDAVIT OF LYNN M. DEAN
IN SUPPORT OF PLAINTIFF
SECURITIES AND EXCHANGE
COMMISSION'S REQUEST FOR
ISSUANCE OF A CERTIFICATE
OF DEFAULT AS TO
DEFENDANT HALLOUN MALEK
KHARRAT**

I, Lynn M. Dean, pursuant to 17 U.S.C. §1746, declare as follows:

1. I am a member of the Bar of State of California and am admitted *pro hac vice* in this action. I am associated with the Securities and Exchange Commission (“SEC”), plaintiff in the above-titled action and I am familiar with all the facts and circumstances in this action.
2. I make this declaration pursuant to Rule 55.1 of the Civil Rules for the Southern District of New York, in support of plaintiff’s application for Clerk’s entry of default against defendant Halloun Malek Kharrat (“Kharrat”).
3. Defendant Kharrat is an adult resident of the country of Lebanon. He is not an infant, not in the United States military, and is not an incompetent person.

4. This action was commenced on April 13, 2017, by the filing of the summons and complaint. Dkt. No. 1. On August 18, 2017, the SEC served the Summons and First Amended Complaint in this matter on Kharrat by International UPS and filed proof of service with the Court on August 29, 2017. Dkt. No. 44. As a result, pursuant to Rule 12(a) of the Federal Rules of Civil Procedure, Kharrat was required to serve and file a response to the Complaint no later than September 19, 2017. To date, the SEC has received no response to the Complaint from Kharrat. Accordingly, plaintiff requests the issuance of a certificate of default against defendant Kharrat.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Los Angeles, California
March 27, 2018

/s/ Lynn M. Dean

Lynn M. Dean
Senior Trial Counsel
Securities and Exchange Commission
Los Angeles Regional Office
444 South Flower Street, Suite 900
Los Angeles, CA 90071
Tel: (323) 965-3998
deanl@sec.gov

PROOF OF SERVICE

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION,
444 S. Flower Street, Suite 900, Los Angeles, California 90071
Telephone No. (323) 965-3998; Facsimile No. (213) 443-1904.

On March 27, 2018, I caused to be served the document entitled **AFFIDAVIT OF LYNN M. DEAN IN SUPPORT OF PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S REQUEST FOR ISSUANCE OF A CERTIFICATE OF DEFAULT AS TO DEFENDANT HALLOUN MALEK KHARRAT** on all the parties to this action addressed as stated on the attached service list:

- OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.
- PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.
- EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.
- HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.
- UNITED PARCEL SERVICE:** By placing in sealed envelope(s) designated by United Parcel Service ("UPS") with delivery fees paid or provided for, which I deposited in a facility regularly maintained by UPS or delivered to a UPS courier, at Los Angeles, California.
- ELECTRONIC MAIL:** By transmitting the document by electronic mail to the electronic mail address as stated on the attached service list.
- E-FILING:** By causing the document to be electronically filed via the Court's CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system.
- FAX:** By transmitting the document by facsimile transmission. The transmission was reported as complete and without error.

I declare under penalty of perjury that the foregoing is true and correct.

Date: March 27, 2018

/s/ Lynn M. Dean

Lynn M. Dean

SEC v. OMAR EL-ACHKAR, et al.
United States District Court—Southern District of New York
Case No. 1:17-cv-02659-KPF

SERVICE LIST

Robert G. Heim, Esq. (**served by CM/ECF only**)
Meyers and Heim LLP
1350 Broadway, Suite 514
New York, NY 10018
Email: RHeim@meyersandheim.com
Counsel for Omar El-Achkar

Halilou Malek Kharrat (**served by UPS**)
Antoine Kharrat Building, El Kharrat Street
Mrouje, Lebanon 1202
Pro Se

One of More Unknown Traders in the Securities of General Communication, Inc.
(via Email) **Defendant(s)**
c/o Nomura Securities International, Inc.
Email: reginquiries@nomura.com

Lori A. Martin, Esq. (**served by CM/ECF only**)
Jeremy T. Adler, Esq. (**served by CM/ECF only**)
Wilmer Cutler Pickering Hale and Dorr LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
Email: lori.martin@wilmerhale.com
Email: jeremy.adler@wilmerhale.com
Attorneys for Nomura International plc

Meredith Sherman, Esq. (**served by CM/ECF only**)
Pepper Hamilton LLP
301 Carnegie Center, Suite 400
Princeton, NJ 08543-5276
Email: shermanm@pepperlaw.com
Attorney for Cedrus Invest Bank S.A.L.

Jay A. Dubow, Esq. (**served by CM/ECF**)
Pepper Hamilton LLP
3000 Two Logan Square, 18th and Arch Streets
Philadelphia, PA 19103
Email: dubowj@pepperlaw.com
Attorney for Cedrus Invest Bank S.A.L.

Jennifer L. Achilles, Esq. (**served by CM/ECF**)
Reed Smith LLP
599 Lexington Avenue, 22nd Floor
New York, NY 10022
Email: jachilles@reedsSmith.com
Attorney for Aksys Capital SAL